

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FOCUS PRODUCTS GROUP INTERNATIONAL, LLC,  
ZAHNER DESIGN GROUP LTD., HOOKLESS SYSTEMS  
OF NORTH AMERICA, INC., SURE FIT HOME  
PRODUCTS, LLC, SURE FIT HOME DÉCOR HOLDINGS  
CORP., and SF HOME DÉCOR, LLC,

15 Civ. 10154 (PAE)

ORDER

Plaintiffs,

-v-

KARTRI SALES CO., INC., and MARQUIS MILLS  
INTERNATIONAL, INC.,

Defendants.

PAUL A. ENGELMAYER, District Judge:

At today's telephonic conference, the Court:

- adjourned the trial dates of June 15–17, 2022, in light of counsels' medical conditions;
- sustained the current trial dates of June 27–29, 2022, subject to the right of defendant Marquis Mills to move for an adjournment on the basis of health considerations;
- scheduled trial in this case for July 26–28, 2022; and
- scheduled trial in this case for August 8–10, 2022, in the event that the trial dates of June 27–29, 2022 need to be adjourned.<sup>1</sup>

The Court further ordered that the first three days of trial will be reserved for opening statements and plaintiffs' case in chief. During those first three days, plaintiffs plan to call

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<sup>1</sup> For avoidance of doubt, the Court expects trial to be complete within six trial days, such that these dates will not be reserved for trial if trial goes forward on June 27–29 and July 26–28, 2022.

Robert Burbank and Sandra Kemp, whose direct examination will be presented through live testimony; and Charles Kuehne, David Kreilein, Ryan Erickson, Stacy Dubinski, Adrian Whipple, David Zahner, and John Elmore, whose testimony will be presented by means of affidavit.<sup>2</sup> The Court ordered that the affidavits from Whipple, Zahner, and Elmore be filed by June 17, 2022, and that defendants file their objections, if any, to those affidavits by June 24, 2022. The Court further ordered plaintiffs to file, by June 10, 2022, their responses to defendants' pending objections, *see* Dkt. 463, to the affidavits of Kuehne, Kreilein, Erickson, and Dubinski. All nine of these witnesses will be subject to live cross and redirect examination, during the trial days of July 27–29. *See* Dkt. 450.

Finally, the Court ordered that the second three days of trial will be reserved for the defendants' case in chief; for plaintiffs' witness Dr. Harri Kytomaa; and for closing arguments.

SO ORDERED.

  
PAUL A. ENGELMAYER  
United States District Judge

Dated: June 7, 2022  
New York, New York

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<sup>2</sup> The parties confirmed at the conference that Mayak Singh will not be called. *Cf.* Dkt. 452.